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9 SAN FRANCISCO LIMO, INC.

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 PAUL REIFFER

13 vs.

14 SAN FRANCISCO LIMO, INC.,

15 Plaintiff,

16 Defendant.

17 Case No. 4:19-cv-02165-HSG

18 **STIPULATION AND ORDER TO SET**
19 **ASIDE DEFAULT AND PERMIT**
20 **FILING OF ANSWER TO**
21 **COMPLAINT; ORDER**

22 Complaint filed: April 23, 2019

23 It is hereby stipulated, by and through the parties' respective counsel, that the default entered
24 against defendant San Francisco Limo, Inc. ("Defendant") be set aside with respect to the
25 following:

- 26 A. The complaint was filed by plaintiff Paul Reiffer ("Plaintiff") on April 24, 2019;
- 27 B. No answer having been filed, despite diligent efforts by plaintiff's counsel,
28 Defendant's default was entered on July 18, 2019;
- 29 C. Plaintiff filed a motion for default judgment on September 13, 2019 that is
30 scheduled for hearing on February 6, 2020;
- 31 D. Defendant's counsel has informed Plaintiff's counsel of circumstances
32 surrounding Defendant's failure to respond to the complaint, including the months-long
33 hospitalization last year of Defendant's corporate counsel and agent for service of process.

34 Now, therefore, with respect to the foregoing, the parties hereby stipulate as follows:

35 **STIPULATION AND ORDER TO**
36 **SET ASIDE DEFAULT; ORDER**

37 CASE NO. 4:19-CV-02165-HSG

1 1. The default against Defendant shall be and is set aside;
2 2. Defendant shall have ten (10) days following entry of this order to file an answer to
3 the complaint;
4 3. The motion for default judgment, scheduled for February 6, 2020, shall be and is taken
5 off calendar.

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8 Dated: January 13, 2020

LAW OFFICES OF LAWRENCE G.
TOWNSEND

10 */s/ Lawrence G. Townsend*

11 Lawrence G. Townsend
12 Attorneys for Defendant,
13 SAN FRANCISCO LIMO, INC.

14 Dated: January 13, 2020

SRIPLAW

15 */s/ Jonah A. Grossbardt*

16 Jonah A. Grossbardt
17 Attorneys for Plaintiff,
18 PAUL REIFFER

19 **ATTESTATION OF CONCURRENCE IN FILING**

20 Pursuant to Local Rule 5-1(i)(3), the filer hereby attests that concurrence in the filing of
21 this document has been obtained from each of the other signatories, which shall serve in lieu of
22 their signatures on the document.

23 */s/ Lawrence G. Townsend*

24 Lawrence G. Townsend

1 IT IS SO ORDERED except this order terminates docket no. 15.
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5 HAYWOOD S. GILLIAM, JR.
6 United States District Judge
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